



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

March 30, 2015

Wilmington Regulatory Field Office
US Army Corps of Engineers
69 Darlington Avenue
Wilmington, North Carolina 28403

ATTN: Mr. Brad Shaver
NCDOT Coordinator

Dear Sir:

Subject: **Request for Modification to Individual Section 404 and Section 401 Water Quality Certification** for the proposed NC 133 Connector from NC 211-133 (Southport Supply Road) to NC 87-133 (River Road), Brunswick County. Federal Aid Project No. STP-133(3), Debit \$570.00 from WBS No. 34531.1.1, TIP R-3324

References: Section 404 and 401 Individual Permit Application dated December 13, 2012
Section 404 Individual Permit issued February 6, 2013 (SAW-2001-00921)
Section 401 Water Quality Certification issued January 25, 2013 (12-0711)
CAMA Consistency Concurrence issued January 16, 2013 (CD13-002)
Section 404 and 401 Individual Permit Modification Request dated March 5, 2015

The purpose of this letter is to revise a recent modification request to the United States Army Corps of Engineers (USACE) Individual Permit and North Carolina Division of Water Resources Water Quality Certification for the above referenced project. This revised modification request reflects the comments received for the previous modification request dated March 5, 2015. Please find attached the revised: permit drawings, wetland impact summary table, and NCEEP acceptance letter.

Site #6 permit drawings are now included to accompany the previously provided increase in impacts at the site. At the suggestion of the USACE, Site #7 was changed back to its original depiction. At the request of NCDOT Division 3 staff, Site #12 permit drawings (dated 3/2/2015) have not change from our March 5, 2015 submittal due to that area already being partially

impacted and mitigation already being provided. Site #13 mechanized clearing impacts were changed back to hand clearing as that was all that was necessary.

Mechanized clearing impacts to non-riparian wetlands will decrease by 0.21 acre to a total of 0.83 acre. This brings total project wetland impacts to 9.24 acres (1.51 riparian, 7.73 non-riparian). A revised acceptance letter from the N.C. Ecosystem Enhancement Program is included with this revised modification request.

Regulatory Approvals

Section 404: We are hereby requesting the modifications described above for the USACE Individual 404 Permit signed February 6, 2013 (SAW-2001-00921), for the above-described activities.

Section 401: We are hereby requesting a modification to the 401 Water Quality Certification from the NCDWQ issued January 25, 2013 (12-0711). In compliance with Section 143-215.3D(e) of the NCAC, we will provide \$570.00 to act as payment for processing the Section 401 permit modification.

CAMA: We are hereby requesting the modification if determined necessary, to the CAMA Consistency Concurrence issued by NCDOT on January 16, 2013.

A copy of this modification request and its distribution list will be posted on the NCDOT website at: <https://connect.ncdot.gov/resources/Environmental>

Thank you for your assistance with this project. If you have any questions or need additional information, please contact John Merritt at 919-707-6140 or jsmerritt@ncdot.gov.

Sincerely,



for

Richard W. Hancock, P.E., Manager
Project Development and Environmental Analysis Unit

cc:

NCDOT Permit Application Standard Distribution List.



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Division of Mitigation Services

Donald R. van der Vaart
Secretary

March 25, 2015

Mr. Richard W. Hancock, P.E.
Manager, Project Development & Environmental Analysis Unit
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Dear Mr. Hancock:

Subject: Mitigation Acceptance Letter:

R-3324, New Route from NC 211 to NC 87 at SR 1525 (Bethel Road),
Brunswick County

References: USACE 404 Individual Permit issued February 21, 2013 (USACE Action ID
2001-00921)

NCDWR 401 Water Quality Certification issued January 25, 2013 (NCDWR
Project ID 2012-0711)

The purpose of this letter is to notify you that the Division of Mitigation Services (DMS) will provide the additional wetland mitigation for the subject project. Based on the information supplied by you on March 24, 2015, the additional wetland impacts are located in CU 03030005 of the Cape Fear River Basin in the Southern Outer Coastal Plain (SOCP) Eco-Region, and are as follows:

Table 1 – Additional Impacts (feet / acres)

Cape Fear 03030005 SOCP	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non- Riparian	Coastal Marsh	Zone 1 (3:1)	Zone 2 (1.5:1)
Impacts (feet/acres)	0	0	0	0.00	0.40	0	0	0

These impacts and associated mitigation needs were not projected by the NCDOT in the 2015 impact data. DMS is currently providing stream and wetland (riparian and non-riparian) mitigation for the impacts associated with this project located in cataloging unit 03030005 of the Cape Fear River basin as required by the 404 and 401 permits that were issued in 2013, as shown in the below table (in mitigation credits):

Mr. Hancock
TIP R-3324 Additional
March 25, 2015
Page Two

Table 2 – Current Permitted Impacts and Mitigation Requirements (based on 2013 permits) and Revised Anticipated Impacts (based on mitigation request)

Impact Type	Total Permitted Impacts (feet / acre)	Mitigation Provided by DMS per Issued Permits (Credits)	Additional Impact (for approval)	Revised Total Impacts*
Stream	992.0	1,984.0	0	992.0
Riparian Wetland	1.51	3.02	0.00	1.51
Non-Rip Wetland	7.33	13.17	0.40	7.73

*Some of the stream and wetland impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details. DMS will provide the amount of mitigation as determined by the regulatory agencies.

DMS has previously made debits for the stream and wetland mitigation requirements to mitigation sites available in the cataloging unit based on the amounts required in the 404 and 401 permits issued in 2013. **This mitigation acceptance letter replaces the mitigation acceptance letter that was issued on March 4, 2015.** Upon issuance of the permit modifications for the project, DMS will make appropriate adjustments to the existing mitigation debits.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-707-8420.

Sincerely,



James B. Stanfill
DMS Asset Management Supervisor

Cc: Mr. Brad Shaver, USACE – Wilmington Regulatory Field Office
Mr. Mason Herndon, NC Division of Water Quality
Mr. Steve Sollod, NC Division of Coastal Management
File: R-3324 Additional Revised

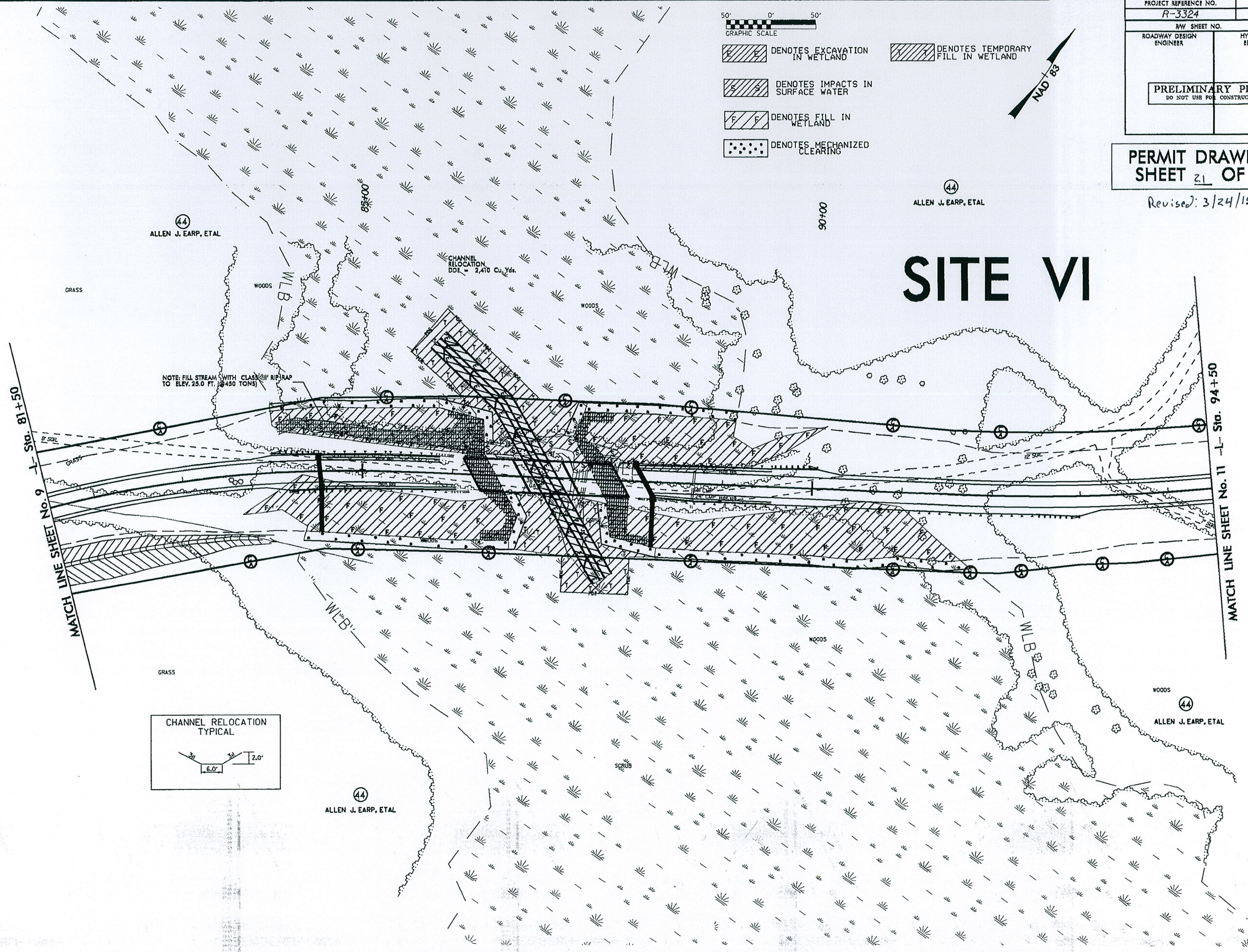
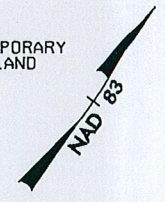
8/17/99

PROJECT REFERENCE NO. R-3324	SHEET NO. 10
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING
SHEET 21 OF 54
 Revised: 3/24/15



- DENOTES EXCAVATION IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND
- DENOTES MECHANIZED CLEARING
- DENOTES TEMPORARY FILL IN WETLAND



 SYSTEMS

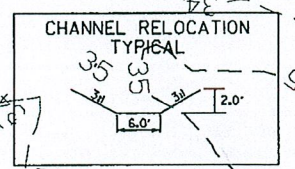
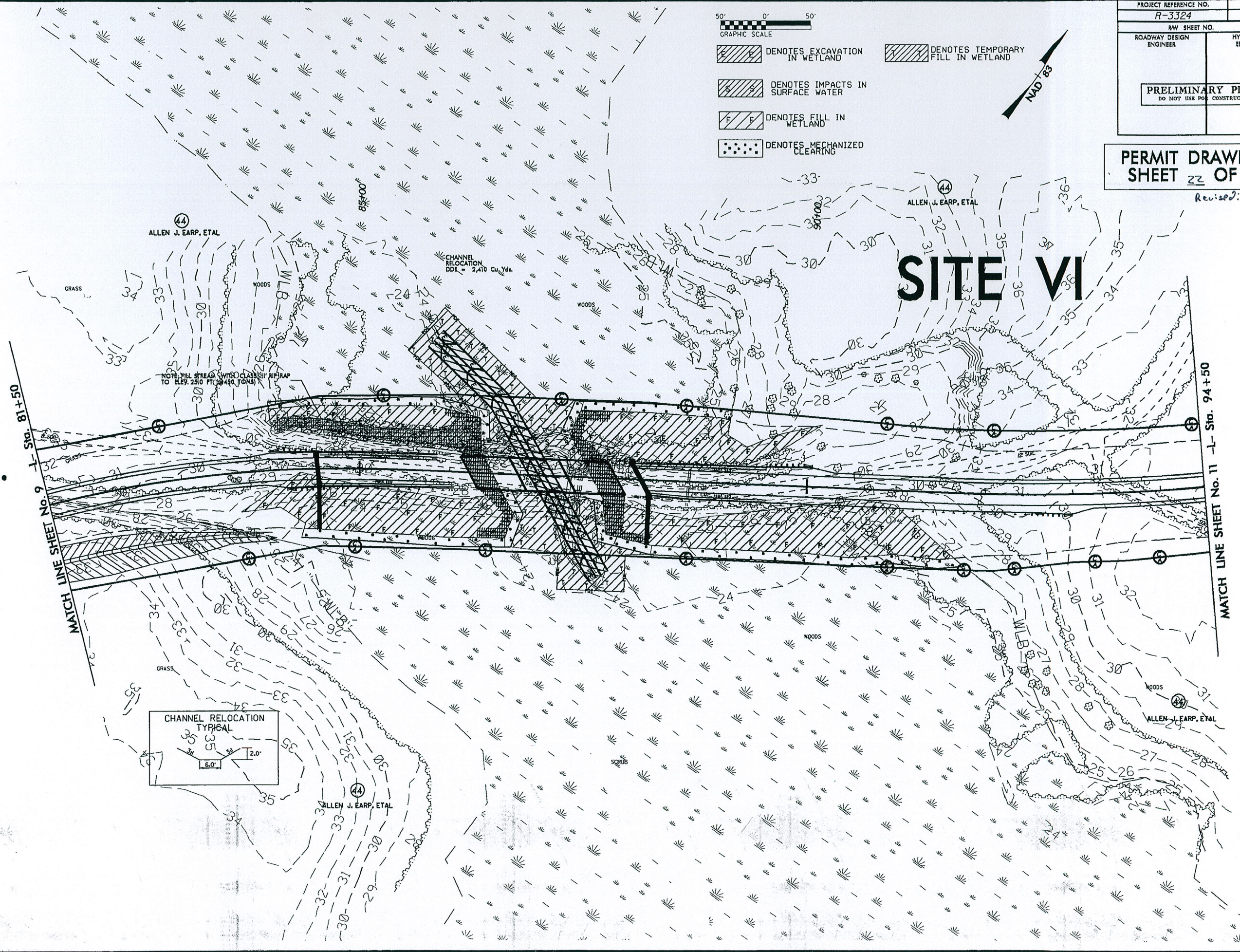
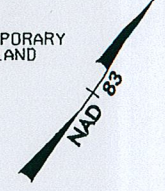
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PROJECT REFERENCE NO. R-3324	SHEET NO. 10
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING
SHEET 22 OF 54
 Revised: 3/24/15



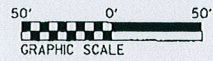
- DENOTES EXCAVATION IN WETLAND
- DENOTES TEMPORARY FILL IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND
- DENOTES MECHANIZED CLEARING



 SYSTEMS

8/17/95

PROJECT REFERENCE NO. R-3324		SHEET NO. 11	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			
SEE SHEET No. 26 & 27 FOR -L- PROFILE			



- DENOTES FILL IN WETLAND
- DENOTES HAND CLEARING
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES MECHANIZED CLEARING

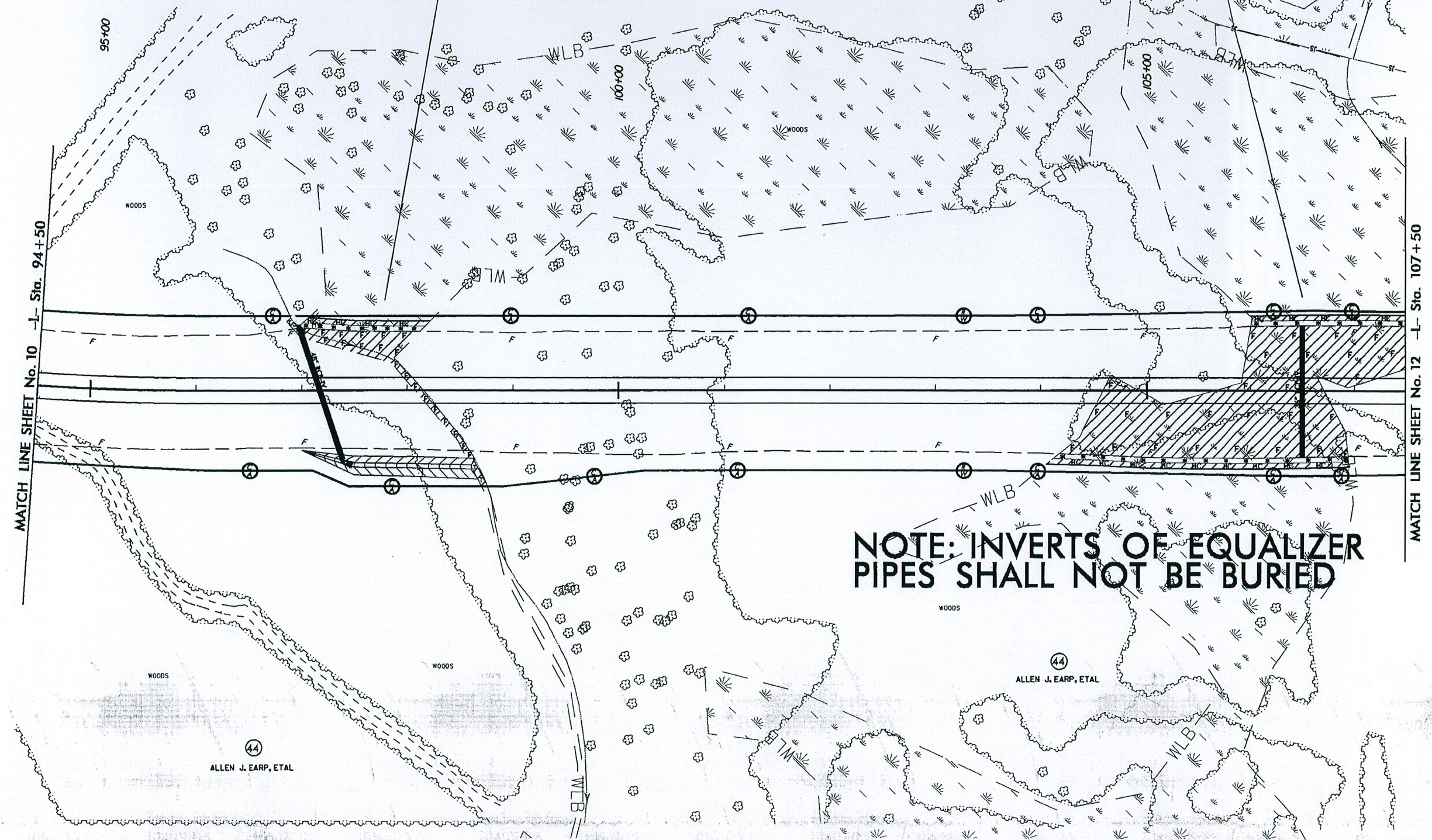
SITE VII

SITE VIII

44
ALLEN J. EARP, ETAL

44
ALLEN J. EARP, ETAL

PERMIT DRAWING
SHEET 25 OF 34
 Revised: 3/24/15



NOTE: INVERTS OF EQUALIZER PIPES SHALL NOT BE BURIED

 SYSTEMS DESIGN
 REMAINS

8/17/99

PROJECT REFERENCE NO. R-3324		SHEET NO. 11	
RW SHEET NO.		HYDRAULICS ENGINEER	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			
SEE SHEET No. 26 & 27 FOR -L- PROFILE			



DENOTES FILL IN WETLAND

DENOTES HAND CLEARING

DENOTES TEMPORARY IMPACTS IN SURFACE WATER

DENOTES MECHANIZED CLEARING

SITE VII

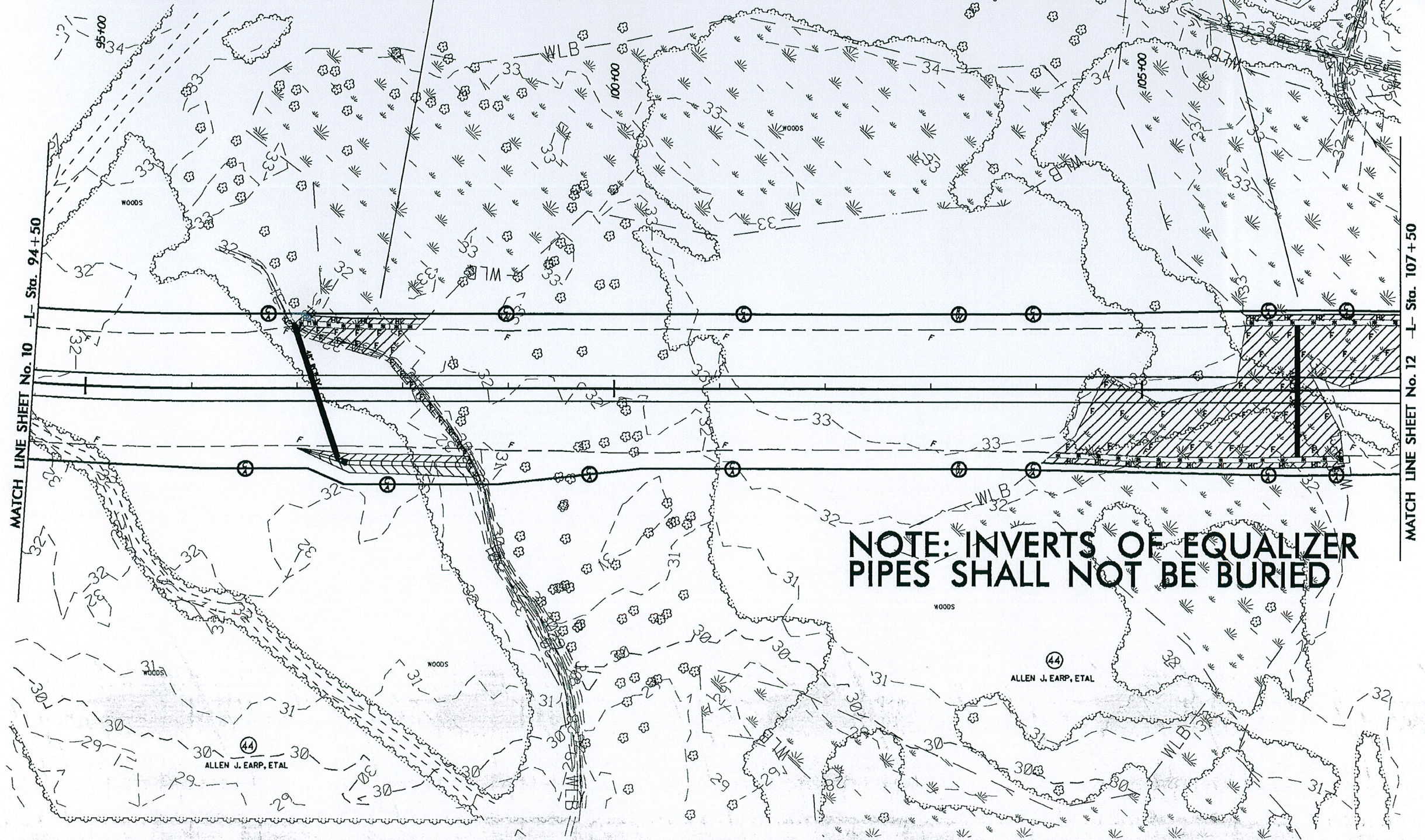
44
ALLEN J. EARP, ETAL

SITE VIII

44
ALLEN J. EARP, ETAL

PERMIT DRAWING
SHEET 26 OF 54

Revised 2/24/15



MATCH LINE SHEET No. 10 -L- Sta. 94+50

MATCH LINE SHEET No. 12 -L- Sta. 107+50

NOTE: INVERTS OF EQUALIZER PIPES SHALL NOT BE BURIED

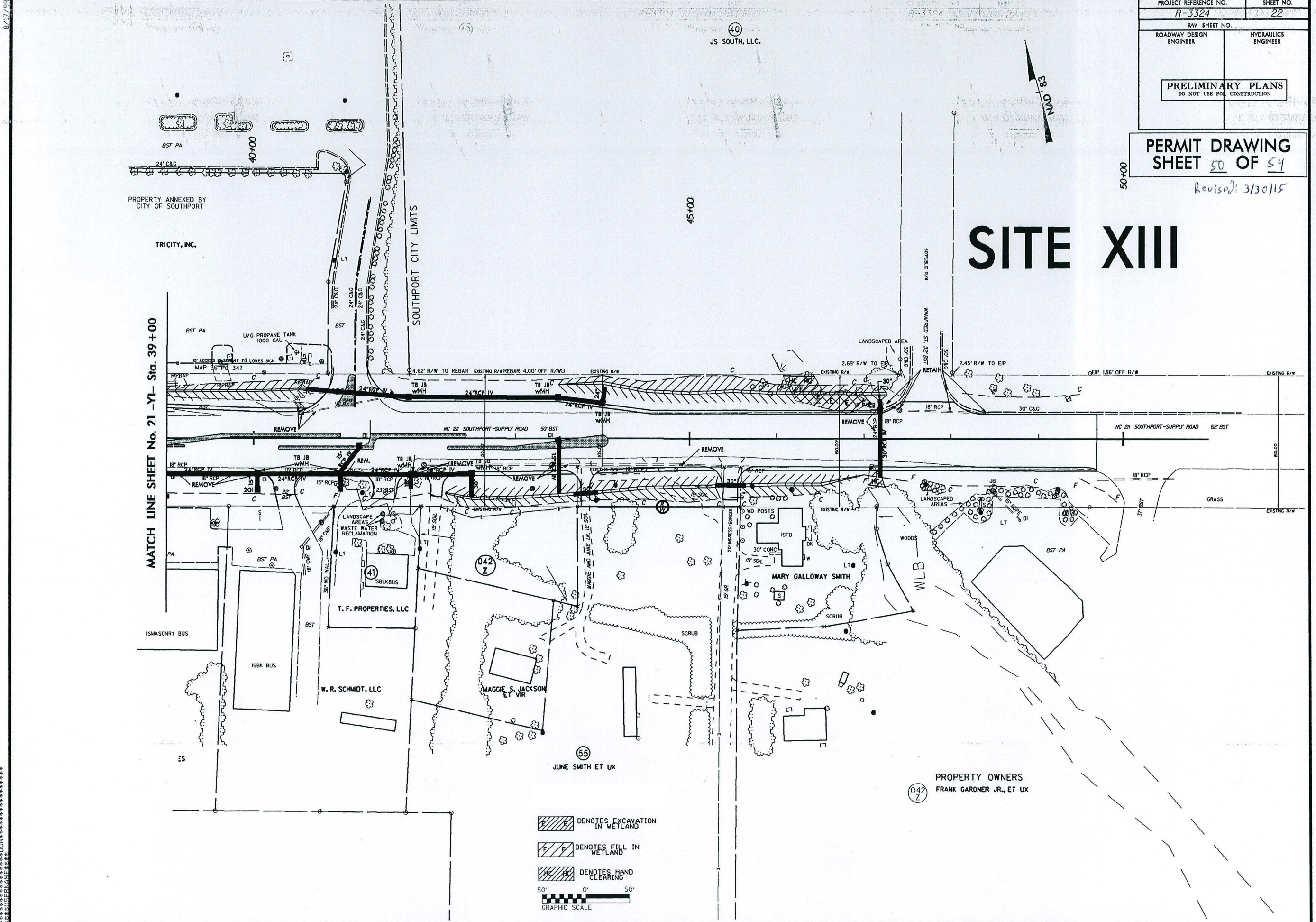
SYSTEMS

8/17/99

PROJECT REFERENCE NO. R-3324		SHEET NO. 22	
R/W SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			

PERMIT DRAWING
SHEET 50 OF 54
 Revised: 3/30/15

SITE XIII



MATCH LINE SHEET No. 21 -VI- Sta. 39+00

*****SYSTIME*****
 *****L.C.*****
 *****L.C.*****

DENOTES EXCAVATION IN WETLAND
 DENOTES FILL IN WETLAND
 DENOTES HAND CLEARING

50' 0' 50'
 GRAPHIC SCALE

8/17/99

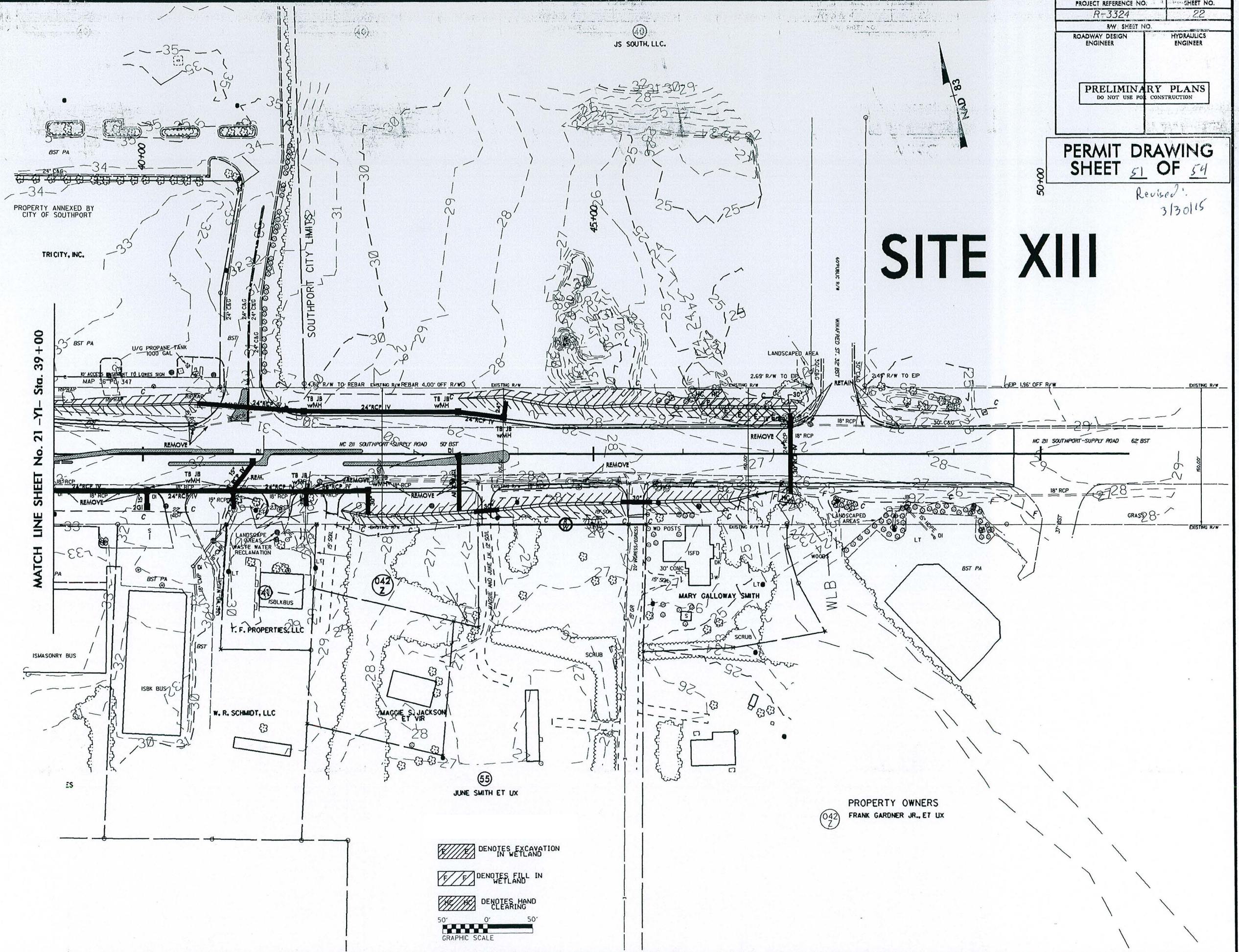
PROJECT REFERENCE NO. R-3324	SHEET NO. 22
RDW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

PERMIT DRAWING
SHEET 51 OF 54

Revised:
3/30/15

SITE XIII



MATCH LINE SHEET No. 21 -YI- Sta. 39+00

DENOTES EXCAVATION IN WETLAND
 DENOTES FILL IN WETLAND
 DENOTES HAND CLEARING

50' 0' 50'
 GRAPHIC SCALE

SYSTEMS CONDITION

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS					
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)	
I	22+00 -L-	BRG 3@45'							<0.01	0.02	26	160	
II	12+30-25+00-Y1-	N/A	0.10		0.03								
IV	51+70-60+00-L-	2@60" RCP	0.15			0.03	0.03	0.05		481			
V	61+00-73+40-L-	N/A	1.98		0.05	0.15	0.15	0.03		242			
VI	83+50-91+70-L-	BRG 3@55'	1.08	0.33	0.18	0.27		0.10		395	73		
VII	98+00 -L-	48" RCP	0.06	<0.01		0.01	0.01						
VIII	104+00-107+70-L-	N/A	0.56			0.06	0.06						
IX	112+80 -L-	2@7'x8' RCBC						0.02	0.01	128	55		
X	113+60-118+80-L-	N/A	0.49			0.09	0.06						
XI	123+50-127+60-L-	1@9'x7' RCBC	1.05			0.22		0.01	0.01	96	46		
XII	32+00-81+50-Y2-	N/A			0.09		0.23						
XIII	46+00-47+30-Y1-	N/A	<0.01		0.04		<0.01						
TOTALS:			5.47	0.33	0.39	0.83	0.54	0.21	0.05	1368	334		

Note: 0.48 acres of Temporary Fill in Wetlands in the Hand Clearing areas for erosion control measures.

Permit Drawing
Sheet 54 of 54
 Revised: 3/30/15

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS

BRUNSWICK COUNTY
 WBS - 34531.1.1 (R-3324)

REVISED
 3/19/2015

SHEET